

Panaji, 7th December, 2006 (Agrahayana 16, 1928)

SERIES II No. 36

OFFICIAL GAZETTE



GOVERNMENT OF GOA

Note:- There are three Extraordinary issues to the Official Gazette, Series II, No. 35 dated 30-11-2006 as follows:-

- 1) *Extraordinary dated 1-12-2006 from pages 841 to 846 regarding Notifications from Department of Revenue.*
- 2) *Extraordinary No. 2 dated 6-12-2006 from pages 847 to 848 regarding Notification from Department of Finance (Revenue & Control Division).*
- 3) *Extraordinary No. 3 dated 6-12-2006 from pages 849 to 850 regarding Corrigendum from Department of Home (Directorate of Prosecution) and Notification & Corrigendum from Department of Revenue.*

GOVERNMENT OF GOA

Department of Co-operation

Office of the Registrar of Co-operative Societies

Order

No. 19/4/05/PU/TS/RCS

- Read:- 1) Show Cause Notice No. 19/4/05/PU/TS/ /RCS dated 29th November, 2005.
- 2) Reply dated 12th December, 2005, received from the Chairman of the Poinguinim Urban Co-op. Credit Society Ltd., Poinguinim-Goa.
 - 3) Letter No. GSCB/I&A/06-07/307 dated 19-10-2006 received from the Goa State Co-op. Bank Ltd., Panaji.

The Poinguinim Urban Co-op. Credit Society Ltd., Poinguinim, Canacona-Goa, is registered under the provisions of the Maharashtra Co-op. Societies Act, 1960 as in force in the State of Goa, hereinafter referred to as 'said Act' and the Co-op. Societies Rules, 1962 made thereunder, hereinafter referred to as "said Rules" under registration No. 8-RES-(a)-92/South Goa/2000 on 6-10-2000 and was classified as "Resource Society" under sub-classification (a) of the clause 8 in terms

of Rule 9 of the said Rules, to fulfill the objects as enshrined in the bye-law No. 2 of the bye-law of the society.

The Audit of the society is completed upto the Co-op. Year 2003-04 and it is observed from the audit report for the year 2003-04 that out of the 15 Managing Committee members, 12 members are found defaulters either as a principal borrowers or sureties to the extent of amount indicated therein and therefore, they incur disqualification in terms of Rule 55(1) (a) of said Rules and cease to hold office of the society in terms of provisions of Rule 55(2) of said Rules, thus reducing the strength of the Managing Committee to 3, which is in minority and does not form the quorum as required under bye-law No. 7(I) of the society.

As per the provisions of Rule 55 (2) of the said Rules, a member of the committee of a society shall cease to hold the office if he/she is in default to any society in respect of any dues from him either as a borrower or as a surety for such period as is specified in this behalf in the bye-law of the society or for a period exceeding three months, whichever is less. So also as per bye-law No. 7 (j) a Managing Committee member shall be deemed to have vacated his office even before the expiry of his normal terms if he is default to the society in respect of any dues from him either as a borrower or as a surety for a period extending 3 months.

On the basis of above mentioned facts show cause notice was issued to all the Managing Committee members as to why they should not be superseded and an Administrator or Committee of Administrators be appointed to manage the affairs of the society. An opportunity was also given to all the concerned members to put forth their say in person or duly authorized person before the Registrar of Co-op. Societies. Accordingly first hearing in the matter was fixed on 27-12-2005 and subsequently last being held on 10-8-2006.

During the course of hearing held on 9-5-2006 the Managing Committee was given a time limit upto 11-7-2006 for recovery of all the balance amount. However, the amount is found not recovered within the stipulated time limit.

The Goa State Coop. Bank Ltd., which is an Apex Bank, has been consulted in the matter and the said institution has informed vide their letter No. GSCB/I&A/ /06-07/307 dated 19-10-2006, referred to at Sr. No. 3 above, that they have no objection for superseding the present Managing Committee of the society and appointing an Administrator or Committee of Administrators to manage the affairs of the society.

In view of the above position, I am satisfied that the present Managing Committee of the society is functioning in violation of provisions of Rule 55(1)(a) of the said Rules and bye-law No. 7 (J) of the bye-laws of the society. If this Managing Committee is allowed to continue it will establish a wrong precedent and will be proved to be detrimental in the interest of the society, its members and creditors. It may also affect adversely the business of the society and defeat the very purpose for which the society was registered.

After taking into consideration all the above mentioned facts and being satisfied that there is no other alternative but to supersede the Managing Committee, I am inclined to pass the following order:-

Order

In exercise of the powers vested in me under sub-section (1) of Section 78 of the Maharashtra Co-operative Societies, Act, 1960 as in force in the State of Goa, read with Sub-Rule (1) of Rule 61 of the Co-op. Societies Rules, 1962, I, R. Mihir Vardhan, Registrar of Co-op. Societies, Govt. of Goa, Panaji hereby supersede the existing Managing Committee of the Poinguinim Urban Co-op. Credit Society Ltd., Poinguinim, Canacona-Goa, consisting of following members:-

- 1) Mr. Mario Fernandes, Chairman,
- 2) Mr. Pradeep Prabhudessai, Vice-Chairman,
- 3) Mr. Bhushan Prabhudessai, Secretary,
- 4) Mr. Umesh Prabhudessai, Managing Committee Member,
- 5) Mr. Govind Acharya, Managing Committee Member,
- 6) Mr. Arun Bhat, Managing Committee Member,
- 7) Mr. Kusta Talpankar, Managing Committee Member,
- 8) Mr. Peter Barreto, Managing Committee Member.
- 9) Mr. Satish Poinguinkar, Managing Committee Member,
- 10) Mr. Arjun Gaonkar, Managing Committee Member,
- 11) Mr. Yashwant Dessai, Managing Committee Member,
- 12) Mr. Anant Sawant, Managing Committee Member,
- 13) Mr. Abel Bareto, Managing Committee Member,
- 14) Mr. Vishwas Dessai, Managing Committee Member,
- 15) Mr. Manuel Martins, Managing Committee Member.

Further, in exercise of the power vested in me under sub-clause (i) of clause 1 of Section 78 of the Act, read with clause (b) of sub-rule (1) of Rule 61 of the said Rules hereby appoint Shri K. S. Gaude, Sr. Auditor Co-op. Societies, South Zone, Margao, as an Administrator of the Poinguinim Urban Co-op. Credit Society Ltd., Poinguinim, Canacona-Goa, to manage the affairs of the said society in place of existing Managing Committee so removed with immediate effect, for a period of six months from the date of taking over the charge of the society by the Administrator.

The Administrator shall take necessary steps to hold the election of the Managing Committee of the society within the stipulated time.

Given under my hand and seal of this office on this 8th day of November, 2006.

R. Mihir Vardhan, Registrar of Co-operative Societies.

Panaji, 8th November, 2006.

Order

No. 23-1-96-TS-HSG-19/RCS

- Read: 1) Letter No. CRCHS/2006-07/No. 42 dated 16-8-2006 received from the Secretary of the Clement Residency Co-op. Housing Society Ltd., Duler, Mapusa.
- 2) Letter No. 14/135/02-TS dated 21-9-2006 received from the ARCS, NZ, Mapusa.

Whereas, Clement Residency Co-op. Housing Society Ltd., Duler, Mapusa, was registered on 12-6-2002 under the provisions of Maharashtra Co-operative Societies Act, 1960 as in force in the State of Goa and Co-op. Societies Rules, 1962 under code symbol No. HSG-(b)-210/NZ/Goa and it is classified as "Housing Society" in terms of Rule 9 of the Co-operative Societies Rules, 1962 to fulfill the objects as laid down under the bye-law No. IV.5(a to f) of the bye-laws of the society.

And whereas, as per bye-law No. 116 of the bye-laws of the society the management of the society shall be carried on by a Managing Committee consisting of 7 members elected for a period of 3 years in accordance with the Election Rule approved by the Registering Authority.

And whereas, the Secretary of the society vide letter dated 16-8-2006 as referred to at Sr. No. 1 above, informed this office that the Returning Officer has conducted the election process in accordance with the Election Rules, Act and bye-laws of the society and declared the results in the A. G. M. held on 13-8-2006. However, only three nominations were received against seven posts of the Managing Committee and therefore all the following three members were declared as elected unopposed.

- 1) Shri Ramesh Ainkar,
- 2) Shri Prakash Pednekar,
- 3) Shri Nhanu Degvekar.

And whereas, the Asstt. Registrar of Co-op. Societies, North Zone, Mapusa, vide letter dated 21st September, 2006 as referred to at Sr. No. 2 above, has informed that since the society has failed to elect full-fledged Managing Committee consisting of seven members, it was resolved in the AGM held on 13-8-2006 to request the Registering Authority to initiate action in terms of Section 77 (A) of the said Act to appoint four members to constitute the full-fledged Managing Committee.

And whereas, the Asstt. Registrar of Co-op. Societies, North Zone, Mapusa, recommended the names of the following members for being appointed on the Managing Committee of the Society.

- 1) Shri Dayanand Samant
- 2) Shri Machael D'Souza
- 3) Shri Mangesh Naik
- 4) Smt. Yvette D'Souza

In view of the above and realizing the need of full fledged Board for smooth functioning of the Society and to safeguard the interest of the members of the society, I therefore pass the following order in terms of Section 77A (1)(b) of the Maharashtra Co-operative Societies Act, 1960 as in force in the State of Goa.

Order

In exercise of the powers vested in me under Section 77A (1)(b) of the Maharashtra Co-operative Societies Act, 1960 as in force in the State of Goa, I, R. Mihir Vardhan, Registrar of Co-operative Societies, Goa, hereby appoint the following members of the Society to be on the Managing Committee of Clement Residency Co-op. Housing Society Ltd., Duler, Mapusa, to fill the four vacancies left vacant:-

- 1) Shri Dayanand Samant
- 2) Shri Machael D'Souza
- 3) Shri Mangesh Naik
- 4) Smt. Yvette D'Souza

Given under my hand and seal of this office on this 30th day of October, 2006.

R. Mihir Vardhan, Registrar of Co-operative Societies.

Panaji, 30th October, 2006.

BEFORE THE REGISTRAR OF CO-OPERATIVE
SOCIETIES GOA,
AT PANAJI.

No. 50/2(3)/99/TS/RCS

Registrar of Co-operative Societies,
Government of Goa,
Panaji-Goa.

V/s

- | | |
|----------------------------------|---|
| 1. Shri Vithoba Datta
Dessai. | ... Chairman, Goa State
Co-op. Milk Producers'
Union, Curti, Ponda. |
|----------------------------------|---|

- | | |
|---|--|
| 2. Shri Baburao Shrikant
Fatto Dessai. | ... Director of the Goa
State Co-op. Milk
Producers' Union,
Curti, Ponda. |
| 3. Shri Gurudas Keshav
Parab. | ... do ... |
| 4. Shri Dananjay Namba
Dessai. | ... do ... |
| 5. Shri Shankar Laxman
Ambekar. | ... do ... |
| 6. Shri Madhavrao S. Desai. | ... do ... |
| 7. Shri Anup K. Desai. | ... do ... |
| 8. Shri Laxman A. Joshi. | ... do ... |
| 9. Shri Shrikant P. Naik. | ... do ... |
| 10. Shri Ravindra K.
Audienkar. | ... do ... |
| 11. Shri Suresh V.
Negalye. | ... do ... |
| 12. Shri Ulhas Korgaonkar. | ... do ...
Respondents |

JUDGEMENT

This is a matter arising from power vested in the Registrar of Co-operative Societies (hereinafter referred to as RCS) under sub-section (1) of Section 78 of the Maharashtra Co-operative Societies Act, 1960 as applied to the State of Goa read with sub-rule 2 of Rule 61 of the Co-operative Societies Rules, 1962 (hereinafter referred to as the Act and Rules). Under the said Act and Rules, the RCS issued a show cause notice dated 24-08-2006 to the respondents who are Directors of the Goa State Co-operative Milk Producers' Union (hereinafter referred to as the Union) as to why they should not be removed and Administrator appointed.

2. In response to the above said show cause notice, all 12 elected Directors appeared before the Registrar on 08-09-2006. The respondents from Nos. 6 to 12 filed verbatim reply. It was contended that there was no ground for an appointment of Administrator and it was illegal on the part of the RCS to replace democratically run set up by Administrator. It was pleaded that instead of appointing an Administrator, Annual General Body Meeting should be called. It was prayed to withdraw the show cause notice.

3. The respondents Nos. 1 to 5 filed a reply requesting for materials/documents based on which the show cause notice was issued, so as to enable to file them a detailed reply. Consequently, the matter was adjourned to 19-09-2006. As the respondent No. 1 had approached the High Court against show cause notice, the matter was not taken up on 19-09-2006. On the same day their Lordships disposed off the petition stating that they are not inclined to interfere at this stage and directed the RCS to dispose off the matter after affording a personal hearing, expeditiously preferably within four weeks. The next hearing of the case took place on 26-09-2006. On

this day, respondents Nos. 1 to 5 filed detailed replies and were given personal hearing. Following are the contentions which have been submitted:—

- a) The show cause notice does not fulfill the ingredients of Section 78.
- b) The RCS relied on reports dated 11-08-2006 and 13-09-2006 submitted by the RCS nominee Shri D. B. Naik, Asstt. Registrar of Co-operative Societies, Dairy, Ponda and therefore there was no material to issue show cause notice on 24-08-2006.
- c) The records and proceedings of the Board meeting of 07-08-2006 are contrary to the reports submitted by the RCS nominee.
- d) The RCS nominee has misinterpreted the order of High Court petition by stating that no resolutions were taken by the majority in the meeting held on 07-08-2006. In fact four resolutions came to be passed in the said meeting.
- e) The apprehension expressed that supply of milk is likely to be affected is unfounded and based on speculative imagination.
- f) On 07-08-2006 except for the absence of 1 Board member all others were present for Board meeting and there was requisite quorum. Subject No. 3 relating to statements of accounts of income and expenditure for the months of April to June had been passed by majority. Subsequently, subject Nos. 18, 19 and 20 were also taken up for discussion and passed by majority. Thereafter, by way of circulation on 04-09-2006 three resolutions came to be taken. All these events prove that the functioning of the Union has not come to a standstill and does not warrant the appointment of an Administrator.
- g) It was prayed to withdraw the show cause notice.

4. The single point for determination before this Court is whether the Board in terms of the Act, Rules and bye-laws have been discharging their functions to meet the objectives of the Society. In this regard, this Court has carefully considered the replies submitted by the respondents and has perused whatever records are available on the file and in the office relating to the functioning of the Milk Union besides conducting its own enquiry. Following are my findings.

5. The RCS is a statutory co-operative authority of the State functioning under the umbrella of the Maharashtra Co-operative Societies Act, 1960 as applied to the State of Goa. Apart from the primary function of registration of Co-operative Societies, the RCS is also charged with the responsibility of monitoring and regulating the management and performance of these societies. Towards this end, the Act also provides certain powers to the RCS of audit, enquiry, inspections and supervision and also resolving disputes in societies

either through his nominees or appointment of arbitrators. One important punitive provision provided in the Act is that of power to remove a Committee or member thereof under Section 78 of the Act. Under this section, RCS is empowered to remove a Committee or member thereof, if in the opinion of the RCS the Committee or member (i) persistently makes default or is negligent in the performance of duties as per the act or rules. (ii) commits any act which is prejudicial to the interest of the society or its members. (iii) wilfully disobeys the directions issued by the Registrar in connection with implementation of co-operative production or development programmes of the State Government. (iv) **not discharging its or his functions properly and which is likely to bring the business of the society come to a standstill.** (v) where any member of the committee stands disqualified by or under the Act.

6. The objectives of the Union as set out in the bye-law 3.1 are that the Union shall carry out activities conducive to the economic and socio economic development of the milk producers by organising effective production, processing and marketing of commodities. The key functions are the purchase of milk from the members, processing or pasteurisation of the milk through the dairy plant and marketing of the milk through its various outlets in the State. To achieve its objectives, the Union has to perform several duties which are listed in bye-laws from 3.2.1 to 3.2.20.

7. Primarily, it is the Board which is charged with the responsibility of achieving the objectives of the Union in accordance with the provisions of the Act, Rules and bye-laws. In order to perform its duties, certain procedures have been set out under the bye-laws for the Board to meet and take decisions. The bye-laws in this regard are laid down from 19.9 to 19.17.

8. The composition of the Board as per bye-law No. 19 is 15 members, out of whom 12 are elected members and 3 are nominated members i.e. RCS nominee, representative of financial agency (in this case it is representative of National Dairy Development Board) and the Managing Director. Regarding voting rights, there is no discrimination between elected and nominated members and it appears that all the 15 members has voting rights. For quorum under bye-law No. 19.12, more than 50 percent of the members should be present, which means 8. For decision making by majority, it is majority of the members present and voting.

9. The present show cause notice has been issued on the ground that the Managing Committee or the Board of Directors have not been able to discharge their functions properly on account of which it is likely that the business of the Union will come to a standstill. To this effect, a background of events that unfolded relating to the Board of Directors has been mentioned in the show cause notice. Further, the show cause states that High Court has granted a stay on the motion of no confidence against Chairman. The show cause notice also makes specific mention of a Board meeting

convened on 07-08-2006 and the fact that the Chairman could not get support of other members as a result of which the functioning came to a standstill as no decisions could be taken. Against this scenario, it was apprehended that the primary object of the Union would suffer and supply of milk to the public is likely to be adversely affected.

10. I shall first take up the issue of reliance on material/information leading to issue of the show cause notice. During the period from January, 2006 to April, 2006, the Board of Directors were meeting regularly and taking decisions. For e.g. one meeting was held on 28-01-2006 and subsequently three meetings were held in the month of February on 6th, 22nd and 28th and in March on 14th, 24th and 31st. The proceedings of all these meetings have been confirmed in subsequent meetings. Also in April, a meeting was held on 29-04-2006. However, from May, 2006 onwards problems have started with the functioning of the Board of Directors as is evident from the fact that the subsequent Board meetings convened on 19-05-2006, 31-05-2006 and 14-06-2006 could not conduct the proceedings due to lack of quorum.

11. In the month of May, 2006 there were complaints against functioning of the Union. In June, 2006 there were newspaper reports about shortage of milk supply in the market. The RCS had visited the Union on 13-05-2006 and 02-06-2006 to review the situation of milk production and milk supply in the State and made efforts to prepare an action plan to drastically improve the milk production in the State and also quality of milk. In July, 2006 indications of inability on the part of the Board of Directors to take decisions started to unfold with the sending of proposals by the Managing Director to the RCS for decision making. Against this background, the immediate cause for the issue of show cause notice was the reported unsavory happenings in the Board meeting convened on 07-08-2006. This Board meeting called on 07-08-2006 followed the stay given by the High Court on 04-08-2006 on the removal of the Chairman. It would be necessary at this stage to understand the meaning of the High Court order of 04-08-2006, wherein stay is granted subject to the condition that **"the petitioner (Chairman) shall not take any policy decision and the decisions involving financial obligations as a Chairman of the society. He shall only look after the day to day administration in exercise of his powers as a Chairman of the society. However, this order shall not prevent respondent No. 2/society to take decisions in the Managing Committee by majority so as to run administration in the society"**. In my opinion it means that the Chairman can continue his routine functions as per the bye-laws. However, for the purpose of taking policy decisions and matters involving financial implications, a Board meetings would be required to be called and decisions will have to be taken by the majority. Consequently, it is to be seen whether on 07-08-2006 any decision came to be taken by majority. This Court has in fact relied

upon a report dated 11-08-2006 received in this office on 14-08-2006 from the RCS nominee wherein it is reported that there was chaos in the meeting and no decisions could be taken. The nominee expressed the opinion that the Board is not in a position to take decisions by way of majority. When the RCS office received official minutes from the Union on 04-09-2006, it was sent for verification to the RCS nominee on 07-09-2006. It is in response to this verification that two more reports of the RCS nominee have been received on 08-09-2006 and 13-09-2006 subsequent to the issue of the show cause notice. The contentions of the respondents therefore that RCS has prejudged and predetermined the issues is baseless. At this stage it would be necessary to go into the details of the meeting held on 07-08-2006.

12. Let us first look at the minutes of the meeting **as recorded by the Union**. On this day, 14 members were present at the start of the meeting. There is quorum. Agenda contained 22 items. On the first three items on the agenda (i) confirmation of minutes of meeting of 29-04-2006 (ii) implementation of actions of the previous minutes of the meeting (iii) approving the statement of accounts from April to June, 2006, discussions have been recorded of some members. On items (i) and (ii), the decisions were deferred and on item No. (iii) a resolution has been taken by majority. Thereafter, while discussing item No. (iv) relating to cattle feed expenditure, there appears to have been conflict resulting in 5 of the Directors staging a walk out with the RCS nominee. Subsequently, decisions have been taken relating to item Nos. 18, 19 and 20 by majority. **On the other hand, the report of RCS nominee** indicates that 7 Directors walked out thereby leaving only a minority to continue the proceedings. In order to resolve the dispute over the numbers, this Court sought statements from two of the Directors (respondents 11 and 12) whose names were missing from the minutes of the official records. These two have given statements that they had left the Board meeting room alongwith the others after item No. 3. This corroborates the version of RCS nominee. Consequently, I find that with only 5 Board of Directors and Managing Director left in the Board meeting, it could have not been possible to take decision by majority. In fact, 6 members would not constitute quorum. In short, out of 22 items listed on the agenda, only one item came to be passed by majority i.e. item No. 3. Out of 6 other items discussed and recorded in the minutes, 2 were deferred, 1 there was no decision and 3 other decisions have been falsely recorded as having majority. There is no misinterpretation of the High Court order as alleged by the respondents. Even presuming for argument sake that three decisions were taken by supposed majority, the minutes of the decisions allegedly taken on this day cannot be considered to have become final unless it had been confirmed in the subsequent meeting as is the procedure followed by the Board. This did not happen.

13. It is argued by the respondent that meetings were convened after 07-08-2006. It is correct that one

meeting was convened on 24-08-2006, but the substantive point for consideration is whether any decision making emerged out of this meeting. On this count, the respondents themselves have admitted that due to the lack of quorum and for reasons of 'no confidence motion' no proceedings could take place on 24-08-2006. No meeting was convened in the month of September, 2006. This is a violation of the bye-laws.

14. The next argument is that certain decisions have been taken by circulation on 04-09-2006 and therefore the apprehension that the functioning have come to a standstill is false. It is true that by a circular meeting, three decisions were taken relating to increase in the sale price of the milk, sanction of bonus and ex-gratia to employees and increase in the price of cattle feed. However, I would consider these three decisions by circulation as an exception driven by desperation. As per bye-law 19.17 **"in case of urgency when a particular decision cannot wait till the Board meets, the decision can be obtained by a circular resolution among all its members, and any resolution so approved by majority of the members signing shall be effective and binding as if such resolution had been passed at a meeting of the Board and shall be included in the minutes and read out in the next meeting."** In my view the ingredients of these bye-laws have not been completely fulfilled as the next meeting has so far not happened, though more than a month has passed. In order to prove that the Board has been regularly and judiciously conducting its duties, it was necessary that the Board meet atleast once in a month, discuss and decide a substantive portion of the agenda items if not all. Taking a decision by circulation without regular meetings being held is a sign of ineffective functioning and apprehensions of confrontation and failure of regular meetings. It is pertinent to note that subsequent efforts to take decision by circulation twice on 07-09-2006 and 18-09-2006 failed. Therefore, no merit is to be given to three decisions taken by circulation in a period of five months without regular meetings.

15. In sum, in the past five months from April to September, 2006 only one meeting has been convened in August, 2006 and only one decision (unconfirmed) has been taken by majority. In the same period, four other meetings convened have been adjourned due to the lack of quorum and attempts to take decisions by circulation twice have also failed except for one by circulation on 11-09-2006. In comparison during the earlier period from January, 2006 to April, 2006, 9 meetings of the Board were convened and scores of decisions taken. This clearly demonstrates that there is lack of unity or cohesion among the Board of Directors and also the fact that the present Chairman does not enjoy the confidence of Directors and is unable to muster majority for decision making. Consequently, in my opinion, the replies furnished by the respondents are unsatisfactory and I am convinced that the Board is unable to discharge its functions to achieve the objects of the Union. Hence I pass the following order.

ORDER

In exercise of the powers vested in me under sub-section (1) of Section 78 of the Maharashtra Co-operative Societies Act, 1960 as in force in the State of Goa read with sub-rule (1) of Rule 61 of the Co-operative Societies Rules, 1962, I, R. Mihir Vardhan, Registrar of Co-operative Societies, Goa, Panaji, hereby remove the existing Managing Committee of the Goa State Co-operative Milk Producers' Union, Curti, Ponda consisting of the following members:-

- | | | |
|---------------------------------------|-----|---|
| 1. Shri Vithoba Datta Dessai | ... | Chairman, Goa State Co-op. Milk Producers' Union, Curti, Ponda. |
| 2. Shri Baburao Shrikant Fatto Dessai | ... | Board of Directors of the Goa State Co-op. Milk Producers' Union, Curti, Ponda. |
| 3. Shri Gurudas Keshav Parab | ... | ... do ... |
| 4. Shri Dananjay Namba Dessai | ... | ... do ... |
| 5. Shri Shankar Laxman Ambekar | ... | ... do ... |
| 6. Shri Madhavrao S. Desai | ... | ... do ... |
| 7. Shri Anup K. Desai | ... | ... do ... |
| 8. Shri Laxman A. Joshi | ... | ... do ... |
| 9. Shri Shrikant P. Naik | ... | ... do ... |
| 10. Shri Ravindra K. Audienkar | ... | ... do ... |
| 11. Shri Suresh V. Negalye | ... | ... do ... |
| 12. Shri Ulhas Korgaonkar | ... | ... do ... |

Further, in exercise of the powers vested in me under sub-clause (ii) of clause 1 of Section 78 of the said Act read with clause (b) of sub-rule (1) of Rule 61 of the said Rules Administrator of the Goa State Co-operative Milk Producers' Union Ltd., Curti, Ponda to manage the affairs of the Union in place of existing Board of Directors so removed, is to be appointed by separate order.

In compliance to the directions of the High Court in Writ Petition No. 423 of 2006, this order shall be stayed for a period of two weeks from the date of receipt of the order by the respondents.

Pronounced in open Court.

Given under my hand and seal of this office on this day of 17th October, 2006 at Panaji.

R. Mihir Vardhan, Registrar of Co-operative Societies.

Panaji, 30th October, 2006.

Order

No. 3-1-81/EST/RCS(Part)/775

The Government is pleased to transfer the Asstt. Registrars of Co-op. Societies as mentioned at Column No. 2 below and to post them in the offices mentioned at Column No. 3 against their names as follows with immediate effect:-

Sr. No.	Name of the Officer, Designation and present place of posting	Place of posting on transfer
1	2	3
1.	Shri D. B. Naik, Asstt. Registrar of Co-op. Societies, Dairy, Ponda Goa.	Asstt. Registrar of Co-op. Societies, (Marketing) Headquarters, Panaji.
2.	Smt. Shivaneer Borkar, Principal/Chief Executive Officer, The Goa Rajya Sahakari Sangh Maryadit, Panaji (on deputation).	Asstt. Registrar of Co-op. Societies, Dairy, Ponda Goa.
3.	Shri P. D. Halarnkar, Asstt. Registrar of Co-op. Societies (Marketing), Headquarters, Panaji.	Principal/Chief Executive Officer, The Goa Rajya Sahakari Sangh Maryadit, Panaji. (on deputation).

The Officer at Sr. No. 2 shall move first.

The Officer at Sr. No. 2 shall not be entitled for transfer TA/DA and joining time.

By order and in the name of the Governor of Goa.

R. Mihir Vardhan, Registrar of Co-op. Societies & ex officio Joint Secretary.

Panaji, 27th November, 2006.

Department of Home

Home-General Division

Corrigendum

No. 3/14/83-HD(G)/Part File

Read: Government Order No. 3/14/83-HD(G) Part File dated 26-04-2002.

In the Government Order referred to above, the designation of the post at Sr. No. 18 may be read as Mechanic Grade-II instead of Mechanic Grade-I.

By order and in the name of the Governor of Goa.

Maria J. R. Pires, Under Secretary (Home).

Porvorim, 23rd November, 2006.

Department of Inland Waterways

Directorate of Captain of Ports

Order

No. 1/1/06/IWT/Captain of Ports/2970

On the recommendation of the Goa Public Service Commission, vide their letter No. COM/1/5/13(1)/91 dated 22-9-2006, Government is pleased to appoint Shri James Braganza, as Deputy Captain in the Captain of Ports Department, Panaji, in the pay scale of Rs. 10,000-325-15,200 with immediate effect. His pay will be fixed as per Rules.

Shri James Braganza, shall be on probation for a period of two years.

This appointment is subject to declaring him clear of character, verification and antecedents.

By order and in the name of the Governor of Goa.

Capt. *A. P. Mascarenhas*, Captain of Ports/ex officio Joint Secretary.

Panaji, 22nd November, 2006.

Department of Law & Judiciary

Law (Establishment) Division

Order

No. 4-10-2006/LD(Estt.)/2315

Government of Goa is pleased to appoint Shri Sushant Nadkarni, Senior Advocate, Panaji, as Special Government, Counsel in the High Court of Bombay at Goa, in order to defend the interest of the Government in the Writ Petition Challenging Regional Plan for Goa-2011 filed by Goa Heritage Action Group V/s. State of Goa & Ors.

Order regarding the terms of fees payable to Shri Sushant Nadkarni, Senior Advocate shall be issued separately which shall be debited to the Budget Head of Town and Country Planning Department.

By order and in the name of the Governor of Goa.

V. P. Dangui, Under Secretary (Estt.).

Porvorim, 28th November, 2006.

Department of Mines & Geology**Order**

No. 3/77/2006/ADM/Mines/2315

Shri Agnelo T. D'Souza, Senior Technical Assistant of the Directorate of Mines & Geology, Panaji is hereby promoted to the post of Senior Geologist on ad-hoc basis

for a period of six months in the pay scale Rs. 10000-325-15200 with immediate effect, against the post vacated by Shri P. A. T. Fernandes Senior Geologist on retirement.

The above promotion will not bestow on him a claim for regular appointment and the service rendered on ad hoc basis in the grade would not count for the purpose of seniority in that grade and for eligibility for promotion to the next higher grade.

The expenditure on pay and allowances is debitable to the following Budget Head:

- 2853 – Non-Ferrous Mining & Metallurgical Industries
- 02 – Regulation & Development of Mines
- 001 – Direction & Administration
- 03 – Environmental Studies in Mining Areas (Plan)
- 01 – Salaries.

By order and in the name of the Governor of Goa

Prasad Lolayekar, Director of Mines & Geology
ex officio Joint Secretary.

Panaji, 24th November, 2006.

Department of Personnel

Order

No. 7/8/74-PER (Vol. I)

Read : Order No. 7/8/74-PER (Vol.I) dated 27-6-2006.
Order No. 7/8/74-PER (Vol. I) dated 27-6-2006.

Governor of Goa is pleased to withdraw Orders referred to above, with immediate effect. Consequently, Dr. Susana de Souza, shall continue to function as Director of Sports and Youth Affairs with immediate effect.

By order and in the name of the Governor of Goa.

Yetindra M. Maralkar, Joint Secretary (Personnel).

Porvorim, 27th November, 2006.

Order

No. 13/28/2006-PER

Governor of Goa is pleased to grant extension in service to Shri J. M. P. Luis, Joint Director of Accounts, South Branch, Office of Directorate of Accounts, Margao for a period of one year upto 30-11-2007.

The extension is subject to termination without assigning any reasons at any time during the period of extension.

By order and in the name of the Governor of Goa.

Shivaji B. Dessai, Under Secretary (Personnel-I).

Porvorim, 29th November, 2006.

Addendum

No. 13/16/2006-PER (C)

Read: Order No. 13/16/2006-PER (C) dated 31-05-2006.

He shall draw his Pay and Allowances against the Budget Head controlled by General Administration Department, Secretariat, Porvorim.

By order and in the name of the Governor of Goa.

Shivaji B. Dessai, Under Secretary (Personnel-I).

Porvorim, 29th November, 2006.

Department of Public Health

Order

No. 22/6/2003-I/PHD/5333

Read : Order No. 22/6/2003-I/PHD/4204 dated 17-11-2005.

Government is pleased to extend the contractual appointment of Dr. Satendra R. Dessai, Consultant Neurosurgeon on contract basis at Hospicio Hospital, Margao, under Directorate of Health Services with effect from 21-11-2006 for a further period of one year.

Dr. Satendra Dessai shall be paid monthly emoluments of Rs. 25,000/- (Rupees twenty five thousand only) per month. His appointment shall be subject to the terms and conditions contained in the earlier agreement executed by him with the Government.

By order and in the name of the Governor of Goa.

Jessie Freitas, Under Secretary (Health-II).

Porvorim, 23rd November, 2006.

Order

No. 6/9/2002-III/PHD-2767

On the recommendation of Goa Public Service Commission as conveyed vide their letter No. COM/II/11/35(1)/91/352 dated 07-11-2006, Government is pleased to promote Dr. (Mrs.) Hirabai A. Borkar, Associate Professor, to the post of Professor in Psychiatry in the Institute of Psychiatry and Human Behaviour, on regular basis with immediate effect, in the pay scale of Rs. 14,300-400-18,300+NPA and other allowances as per rules.

Dr. (Mrs.) Hirabai A. Borkar shall be on probation for a period of two years.

The promotion is made against the vacant post of Professor caused due to the voluntary retirement of Dr. J. M. Fernandes.

By order and in the name of the Governor of Goa.

S. G. Korgaokar, Under Secretary (Health).

Porvorim, 24th November, 2006.